

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gary D. Sasaki et al.

Application No.: 09/741,725

Filing Date: Dec. 19, 2000

Title: DISTRIBUTING DIGITAL CONTENT



Confirmation No.: 7533

Examiner: Sherr, Cristina

Group Art Unit: 3621

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	30	MINUS	30	= 0	X \$18	\$ 0
INDEP. CLAIMS	2	MINUS	3	= 0	X \$88	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$300	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$430.00	3RD MONTH \$980.00	4TH MONTH \$1530.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Respectfully submitted,

Gary D. Sasaki et al.

By

Edouard Garcia

Attorney/Agent for Applicant(s)
Reg. No. 38,461

Date of Deposit: Nov. 24, 2004

Typed Name: Edouard Garcia

Signature: _____

Date: Nov. 24, 2004



GP 3621
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gary D. Sasaki et al. Art Unit : 3621
Serial No. : 09/741,725 Examiner : Sherr, Cristina O.
Filed : December 19, 2000
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Commissioner for Patents
P.O. Box 1450
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RESPONSE TO THE EXAMINER'S ACTION DATED AUGUST 26, 2004

I. Status of claims

Claims 1-30 are pending.

II. Claim rejections

The Examiner has rejected claims 1-30 under 35 U.S.C. § 103(a) over Thomson (WO 00/13412) in view of Audible (WO 00/39730).

For the purpose of the following discussion, the Examiner is reminded that (emphasis added):

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not on applicants' disclosure.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

November 24, 2004

Date

(Signature of person mailing papers)

Edouard Garcia

(Typed or printed name of person mailing papers)